

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

STACIA STINER, et al.,
Plaintiffs,

v.

BROOKDALE SENIOR LIVING, INC., et
al.,
Defendants.

Case No. 17-cv-03962-HSG (LB)

DISCOVERY ORDER

Re: ECF No. 272

The parties dispute whether the defendants’ response to the following request for production was adequate: “All DOCUMENTS that describe or contain ANY evaluations, grades, assessments and/or ANY analyses of the financial performance of YOUR FACILITIES and/or ANY Executive Director of ANY FACILITY.”¹ The court can decide the issue without oral argument. Civ. L. R. 7-1(b). The court denies the additional discovery.

The defendants responded to the request, offering to “conduct a reasonable, good faith search for responsive, non-privileged, non-duplicative, and centrally located annual analyses, if any, of the financial performance for the California Communities while affiliated with Brookdale from May 16, 2015 through the date of these Responses or the date upon which the community was no

¹ Letter Brief – ECF No. 272 at 1. Citations refer to material in the Electronic Case File (ECF); pinpoint citations are to the ECF-generated page numbers at the top of documents.

longer affiliated with Brookdale.”² The plaintiffs now say that their request was not limited to financial-performance analyses and instead included “any documents evaluating, grading, assessing or analyzing the performance of Brookdale’s Executive Directors of its California Facilities.”³

The trial judge, at the plaintiffs’ request, extended the deadline for the plaintiffs to file the class-certification motion. The undersigned allowed only discovery that was responsive to existing requests, not new discovery.⁴ This is new discovery. The request seeks discovery only of the financial performance of the entities. The court denies the plaintiffs’ request.

IT IS SO ORDERED.

Dated: August 9, 2021



LAUREL BEELER
United States Magistrate Judge

² Objections and Responses to RFPs, Ex. B to *id.* – ECF No. 272 at 89–90.

³ Letter Brief – ECF No. 271 at 1.

⁴ March 18, 2021 Hearing Tr. – ECF No. 224 at 25:23–26:23; Discovery Order – ECF No. 270.